



6/12

IFW

Attorney Docket No. 1293.1066D2C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Jung-wan KO

Application No.: 10/631,785

Group Art Unit: 2653

Filed: August 1, 2003

Examiner: Thang V. TRAN

For: RECORDING MEDIUM FOR STORING DEFECT MANAGEMENT INFORMATION FOR
RECORDING REAL TIME DATA, DEFECT MANAGING METHOD THEREFOR, AND REAL
TIME DATA RECORDING METHOD

COMMUNICATION TO THE EXAMINER

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Notice of Allowance was mailed on August 20, 2004. The Notice of Allowability attached thereto does not indicate that our Information Disclosure Statement with Form PTO-1449 filed on August 1, 2003 has been considered. It is also noted that the Examiner has not indicated whether the related co-pending applications, cited in the same Information Disclosure Statement, have been considered.

Enclosed are copies of the Information Disclosure Statement as filed on August 1, 2003, along with a copy of the date-stamped post card, copies of the four (4) Patent Publications cited on the PTO-1449 and a copy of the allowed claims.

It is respectfully requested that the Examiner consider these references and initial on the enclosed PTO-1449 form.

Lastly, in addition to the above-mentioned enclosures, we have also enclosed a copy of a PTO-1449 form sent with the outstanding Notice of Allowance. This PTO-1449 is unrelated to the present application. It is respectfully requested that this PTO-1449 be expunged from the present file wrapper. It would appear that this PTO-1449 was inadvertently included with the outstanding Notice of Allowance.

Please contact the undersigned if there are any questions.

Respectfully submitted,

STAAS & HALSEY LLP

By: 

Stephen Boughner
Registration No. 45,317

Date: September 22, 2004

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501



Sheet 1 of 5
Form PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

ATTY DOCKET NO.
1190-0576P

APPLICATION
NO. New

10/631,785

APPLICANT
Kyosuke YOSHIMOTO et al.

FILING DATE
July 31, 2003

GROUP 2653
Unassigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
<i>OK</i>	5	2	1	4	6	2	7	5/1993	Nakashima et al.			
	5	1	7	3	8	8	6	12/1992	Satoh et al.			
	4	8	7	3	6	7	9	10/1989	Murai et al.			
	5	2	5	5	2	6	1	10/1993	Iida et al.			
	5	3	0	5	3	0	2	4/1994	Hardwick			
	4	8	1	9	2	1	8	4/1989	Barnard			
	5	2	3	3	5	7	6	8/1993	Curtis et al.			
	5	2	6	5	2	3	0	11/1993	Saldanha et al.			
	5	1	3	8	5	9	9	8/1992	Fukushima et al.			
	5	1	8	5	7	3	3	2/1993	Finkelstein et al.			
<i>OK</i>	4	9	8	4	2	3	0	1/1991	Satoh et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLA- TION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

<i>OK</i>	J. E. Kulakowski, "Logical Track Format on Banded Media", 02/04/92, pp. 1-9, 20-22
<i>OK</i>	European Computer Manufacturers Association, "Data Interchange on 130 mm Optical Disk Cartridges 2 G Byte Cartridge Capacity", 10/28/92, pp. 63-66

EXAMINER <i>Thomas V. Tran</i>	DATE CONSIDERED <i>08/07/04</i>
EXAMINER: Initial <i>OK</i> citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

DRA/MRG:tm



Attorney Docket No. 1293.1066D2C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Jung-wan KO

Continuation of 10/107,395

Group Art Unit:

Filed: August 1, 2003

Examiner:

For: RECORDING MEDIUM FOR STORING DEFECT MANAGEMENT INFORMATION FOR
RECORDING REAL TIME DATA, DEFECT MANAGING METHOD THEREFOR, AND
REAL TIME DATA RECORDING METHOD

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☐ Copies of IDS citations.
- 1c. ☐ An English language copy of search report(s) from a counterpart foreign application or a PCT International Search Report.
- 1d. ☐ English language translation (complete or relevant portion(s)) attached to each non-English language publication.
- 1e. ☐ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of each non-English publication.
- 1f. ☒ List of Copending Applications (ATTACHMENT 1(f), hereto).
- 1g. ☐ List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).

2. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(b):

(Check either Item 2a or 2b or 2c or 2d)

- 2a. ☒ Within three months of the filing date of a national application other than a Continued Prosecution Application under § 1.53(d);
- 2b. ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- 2c. ☐ Before the mailing of a first Office Action on the merits; or
- 2d. ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.

COPY

3. ☐ This Information Disclosure Statement is filed under 37 CFR § 1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311 or an action that otherwise closes prosecution in the application, AND

(Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)

- 3a. ☐ The §1.97(e) Statement in Item 5 below is applicable; OR
3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
☐ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

4. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(d) after the period specified in paragraph 3 above, but on or before payment of the Issue Fee, AND

- 4a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; AND
4b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
☐ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

5. ☐ Statement under § 1.97(e) *(applicable if Item 3a or Item 4a is checked)*
(Check either Item 5a or 5b)

- 5a. ☐ In accordance with 37 CFR § 1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
5b. ☐ In accordance with 37 CFR § 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

6. ☒ This is a continuation/divisional/continuation-in-part application under 37 CFR § 1.53(b).

(Check appropriate Items 6a and/or 6b)

- 6a. ☒ Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial Nos. 09/294,344 (issued as U.S. Patent No. 6,480,446) and 10/107,395, filed on April 20, 1999, and March 28, 2002, respectively, and which are relied on for earlier effective filing dates for the subject application under 35 U.S.C. §120, have been omitted pursuant to 37 CFR § 1.98(d).
6b. ☐ Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. __, filed on __, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, are provided herewith.

COPY

7. ☐ This is a continuation/divisional application under 37 CFR § 1.53(d) or a Request for Continued Examination under 37 CFR 1.114.
(Check either Item 7a or 7b)
- 7a. ☐ The Issue Fee has not been paid.
- 7b. ☐ A Petition to Withdraw from issue under 37 CFR § 1.313(c) is filed concurrently herewith or has been granted. A continuation/divisional application under 37 CFR § 1.53(d) or a Request for Continued Examination under 37 CFR 1.114, after payment of the Issue Fee, is proper in accordance with 37 CFR § 1.53(d)(1)(ii) or 37 CFR 1.114(a), respectively.
8. ☐ This is a Supplemental Information Disclosure Statement.
(Check either Item 8a or 8b)
- 8a. ☐ This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f) supplements the Information Disclosure Statement filed on _____. A bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on _____.
- 8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR § 1.97 and 1.98, mailed _____.
9. ☐ In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
(Check appropriate Items 9a, 9b, 9c and/or 9d)
- 9a. ☐ satisfied because all non-English language publications were cited on the enclosed "English language version of the search report or action which indicates the degree of relevance found by the foreign office". (See MPEP § 609, Minimum Requirements for an Information Disclosure Statement, Part A(3): Concise Explanation of Relevance, 8th Ed.)
- 9b. ☐ set forth in the application.
- 9c. ☐ satisfied because an English language translation (complete or relevant portion(s)) is attached to each non-English language publication.
- 9d. ☐ enclosed as Attachment 1(e), hereto.
10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

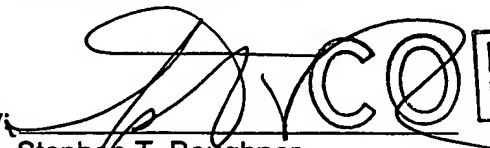
COPY

11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: 8/1/03
1201 New York Ave., N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

By: 
Stephen T. Boughner
Registration No. 45,317

COPY



Sheet 1 of 1

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 1293.1066D2C2	APPLICATION NO. Continuation of 10/107,395
LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)		FIRST NAMED INVENTOR Jung-wan KO	
		FILING DATE August 1, 2003	GROUP ART UNIT

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	5,528,571	06/18/1996	FUNAHASHI et al.			
	AB	5,715,221	02/03/1998	ITO et al.			
	AC	5,574,708	11/12/1996	KAWAKAMI			
	AD	5,805,547	09/08/1998	YAMAMURO			
	AE	5,914,928	06/22/1999	TAKAHASHI			
	AF	5,111,444	5/5/1992	FUKUSHIMA ET AL.			
	AG	5,404,357	4/4/1995	ITO ET AL.			
	AH	5,327,553	8/17/1993	FUKUSHIMA ET AL.			
	AI	5,982,729	11/9/1999	YAMAMURO, MIKIO			
	AJ	5,859,823	1/12/1997	YAMAMURO, MIKO			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AG	1991-8495	10/18/1991	KOREA				
	AH	EP 0 383 298	08/22/90	EUROPE				
	AI	EP 0 798 716	10/01/1997	EUROPE				
	AJ	WO98/14938	09/04/1998	PCT				

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

COPY

**ATTACHMENT 1(f)**

LIST OF COPENDING APPLICATIONS	ATTORNEY DOCKET NO.	APPLICATION NO.
	1293.1066D2C2	Continuation of 10/107,395
	FIRST NAMED INVENTOR	
	Jung-wan KO	
	FILING DATE	GROUP ART UNIT
	August 1, 2003	

The following, prior-filed, copending U.S. patent application(s) is/are listed in accordance with the duty of disclosure provisions of 37 CFR § 1.56, so that the Examiner may consider same should he deem any thereof to be material to examination of the subject application. Pursuant to 37 CFR 1.98(a)(2)(iii), a copy of the identified copending application(s) is provided.

It is requested that the Examiner acknowledge his consideration of application(s) below-listed by initialling same in the space provided adjacent each such application and that the Examiner sign and date this form at the bottom thereof to confirm such consideration having been given.

This submission in no way represents an admission that any of the information listed herein constitutes prior art with respect to the subject application and unless and until such prior art status is established, this submission is not a request that the information presented herein be printed on the face of any patent issuing from the subject application in which this information is being filed.

U.S. PATENT APPLICATION DOCUMENTS

EXAMINER INITIAL		U.S. SERIAL NO.	FILING DATE	NAME	ASSIGNEE
	1	10/107,395	April 28, 2002	Jung-wan KO	Samsung Electronics Co., Ltd.
	2	09/610,383	July 5, 2000	Jung-wan KO	Samsung Electronics Co., Ltd.
	3	Continuation of 10/107,395 (Atty. Docket No. 1293.1066D2C1)	August 1, 2003	Jung-wan KO	Samsung Electronics Co., Ltd.
	4	Continuation of 10/107,395 (Atty. Docket No. 1293.1066D2C3)	August 1, 2003	Jung-wan KO	Samsung Electronics Co., Ltd.
	5	Continuation of 10/107,395 (Atty. Docket No. 1293.1066D2C4)	August 1, 2003	Jung-wan KO	Samsung Electronics Co., Ltd.
EXAMINER				DATE CONSIDERED	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

COPY